

85-00038

OFFICE OF THE ATTORNEY GENERAL



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STATE OF ALABAMA

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JANIE NOBLES
ADMINISTRATIVE ASSISTANT

OCT 23 1984

Honorable Tom Nicholson
Member, House of Representatives
District No. 13 Walker County
P.O. Box 248
Jasper, AL 35501

Elections - Boards of
Registrars - Deputy
Registrars - Officers and
Offices

A local beat committeeman may
serve as a Deputy Registrar.

Dear Mr. Nicholson:

Our office received an opinion request from you
concerning the following matter:

"My question is whether or not an elected
official of a political party,
specifically a local beat committeeman,
is considered as holding elective office
and therefore, barred from serving as a
Deputy Registrar?"

As you correctly noted in your request, the Attorney
General has previously stated "an elected official may not be
appointed as a Deputy Registrar." Opinion to Honorable Hank
Sanders, State Senator, Dallas County under date June 18,

Honorable Tom Nicholson
Page Two

1984. That opinion, however, was issued specifically in response to the following question: "May an elected official (city councilperson) be appointed a Deputy Registrar?"

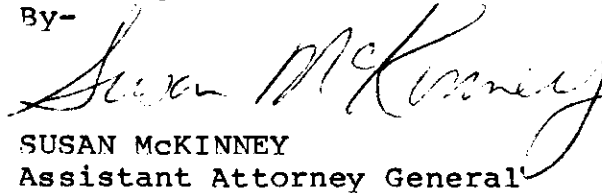
The Attorney General is of the opinion that there is a differentiation between an elected public official and an elected party official. Therefore, it is the opinion of this office that a local beat committeeman may serve as a Deputy Registrar.

I do hope I have adequately answered your inquiry. If, however, I may be of further assistance, please do not hesitate to contact us.

Sincerely,

CHARLES A. GRADDICK
Attorney General

By-



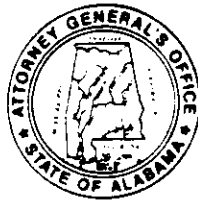
SUSAN McKINNEY
Assistant Attorney General

CAG/SMcK/cq

Enclosure

84-00324

OFFICE OF THE ATTORNEY GENERAL



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JUN 18 1984

ADMINISTRATIVE BUILDING
64 NORTH UNION STREET
MONTGOMERY, ALABAMA 36130
AREA (205) 834-5150

Honorable Hank Sanders
State Senator 23rd District
P. O. Box 1305
Selma, Alabama 36701

Board of Registrars - City
Councils - Officers and
Offices - Candidates

An elected official may not be
appointed as a deputy regis-
trar.

Dear Senator Sanders:

The Attorney General received your request for an
opinion from this office as to the following matter:

1. May an elected official (city councilper-
son) be appointed a deputy registrar;
2. May an elected official (city councilper-
son) be appointed and/or serve as a deputy
registrar while he is an announced and
active candidate for public office (presi-
dent of the city council).

In answer to your first question the Attorney General is
of the opinion that an elected official may not be appointed
as a deputy registrar.

Code of Alabama 1975, Section 17-4-158 provides:

"Each board may appoint deputy registrars
to aid it in its performance of its law-
ful duties. Any person serving as a
deputy registrar shall be trained by the

Honorable Hank Sanders
Page 2

board of registrars and shall serve without compensation. The Board shall provide deputy registrars with all necessary registration forms, and when such forms are completed, the deputy registrar shall return them to the office of the board of registrars before the close of business on the next business day."

Although there are no statutory qualifications within this section, the section does invest the deputy registrar with the authority to aid in the board of registrar's lawful duties. Therefore, it is the opinion of the Attorney General that deputy registrars should possess the same qualifications as registrars possess. Those qualifications concerning the appointment of a registrar can be found in Code of Alabama 1975, Section 17-4-150. That section specifically provides that registrars "shall not hold an elective office during their term."

In view of the fact that your first question was answered negatively an answer to your second question is not necessary.

I do hope this response sufficiently answers your inquiry. If, however, we may be of further assistance, please do not hesitate to contact us.

Sincerely,

CHARLES A. GRADDICK
Attorney General

By-



SUSAN MCKINNEY
Assistant Attorney General

SMcK:bb